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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/785,864 | 02/16/2001 | Gregory Bruening | 020366-074900US | 6331 |

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EXAMINER

LE, KAREN L

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 09/785,864 | Applicant(s) BRUENING ET AL. | |
| | Examiner Karen L. Le | Art Unit 2614 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE and 2/15/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 12-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Cheng et al. (U. S. 5,923,744).

Regarding claims 12 and 27 Cheng teaches a method for routing calls comprising:

at a service switching point (fig. 3, SSP 210B) associated with a subscriber line having switched-based call forwarding to voicemail (col. 3, lines 28-30) associated therewith and having a specific digit string (fig. 4, item 420 and Col. 6, lines 46-48) associated therewith , detecting an Off-hook Delay trigger (Fig. 4, item 460), wherein the Off-Hook Delay trigger includes a forward-to number suspending call processing to the forward-to number (Col. 7, lines 1-4 and Col. 3, lines 25-31);

suspending call processing to the forward-to number , sending an infocollected message to a service control point associated with an Advanced Intelligent Network, wherein the infocollected message includes the specific digit string and the forward-to number; comparing the forward-to number to a voicemail number associated with the

Art Unit: 2614

subscriber line; and based on the comparison determining whether to resume call processing to the forward-to number (col. 3, lines 10-31).

Regarding claims 13 Cheng further teaches comparing the forward to number to a voicemail number associated with the subscriber line includes evaluating criteria to determine whether to forward the call to another number (Fig. 5, item 510).

Regarding claims 14 and 16 Cheng does not teaches the criteria comprises a time of day and a day of week. The criteria base on many factors. It is inherent that time is set as the criteria. Time is set in many telecommunication features (e.g. do not disturb mode or privacy mode)

Regarding claims 15 and 17 Cheng further teaches comprising thereafter, forwarding the number to a business line associated with the subscriber line, a wireless line associated with the subscriber line, or a voicemail line associated with the subscriber line (col. 3, lines 29-31).

Regarding claims 18, 19 and 20, Cheng further teaches comparing the forward-to number to a voicemail number associated with the subscriber line includes determining whether to forward the call to multiple other numbers (Col. 3, lines 25-31).

Art Unit: 2614

Regarding claims 21-23, 25-26 and 29-31, Cheng further teaches the switched-based call forwarding to voicemail comprises: call-forward on busy; and call-forward on no answer, forward-to number comprises a telephone number for a different subscriber line, forward-to number comprises a telephone number for a voice mail box. It is inference to forward the call to another number when the destination is busy or no answer. This is old and well known in telecommunication system.

Regarding claims 24 and 28, Cheng further teaches the Off-hook Delay trigger is generated by calls from the subscriber line (col. 7, lines 1-4).

Regarding claims 2 and 3, Zhang further teaches sending a message to an SCP during said step c) based upon said step b) (Col. 11, lines 31-33)

Response to Arguments

3. Applicant's arguments with respect to claims 12-31 have been considered but are moot in view of the new ground(s) of rejection.

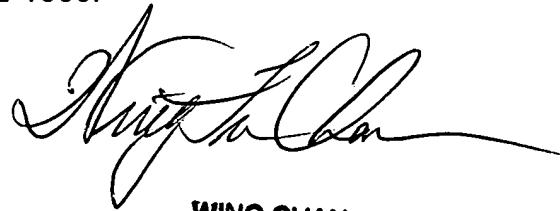
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen L. Le whose telephone number is 571-272-7487. The examiner can normally be reached on M-F 8:30-5:00.

Art Unit: 2614

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



WING CHAN
SUPERVISORY PATENT EXAMINER

Karen le
KLL

August 7, 2006